

RONALD TUSSEY, ET AL.,
Plaintiffs,
vs.
ABB, INC., ET AL.,
Defendants.

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Case No. 2:06-CV-04305-NKL

____ Jury Verdict. This action came before the Court for a trial by jury.

IT IS ORDERED AND ADJUDGED that pursuant to the Order entered by the Honorable Nanette Laughrey on March 31, 2012, the Court rules as follows:

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services. Fidelity Trust breached its fiduciary duties by failing to distribute float income solely for the interest of the Plan. Fidelity Research violated its fiduciary duties when it transferred float income to the Plan's investment options instead of the Plan.

ABB Defendants are jointly and severally liable for \$ 13.4 million lost by the Plan due to ABB's failure to monitor recordkeeping fees and negotiate for rebates, and \$21.8 million lost by the Plan due to the mapping of the Vanguard Wellington Fund to the Fidelity Freedom Funds. Fidelity Defendants are jointly and severally liable for compensating the Plan \$1.7 million for lost float income.

The parties are ordered to submit a schedule for resolving the issue of attorney fees and any other remaining issues.

Dated: March 31, 2012

ANN THOMPSON

Clerk

s/ RENE A KANIES

By: Renea Kanies, Courtroom Deputy